WILMINGTON, N. C., FRIDAY, FEB. 28, 1851.

The Editor is absent from his post this week. on business connected with this office. His absence will, we hope, be a sufficient apology for the omission of any matter that may be omitted.

CONSTABLE'S ELECTION .- On Saturday last, Messrs Jas. Bunch and T. Holden, for the Upper; and F. D. SMAW and JAS. T. MORRIS, for the Lower Division of Wilmington, were elected Constables of said town, amity with foreign powers. It has been my endeavor the Senate adjourned. for twelve months from the second week in March, to induce the states of Germany to carry into full ef-

Clarendon Horse Guards, under command of Capt. WM. C. Howard; and by the Upper and Lower Di- danger to the peace of Europe. visions of the militia of said town, the first comman-Captain Francis D. Smaw. On the same day, Ben-JAMIN J. JACOBS was elected Captain of the Upper Division : JOSEPH LAWTON, 1st Lieut .; WILLIAM H. DANVERS, 2d do., Tobias Lucas, 3d do.

TRIAL OF MRS. ANN K. SIMPSON.-We are indebted to the publishers. Messrs. E. J. Hale & Son, for a neatly printed copy of the "Trial of Mrs. ANN K. were taken by WM. H. HAIGH, Esq., as the trial progressed. We have only had an opportunity to glance over the work. It is well spoken of by the press generally, and we can give our testimony in favor of the neat manner it is printed, always barring the numerous typographical blunders it contains, which are not important, and, under the circumstances, could not well be avoided, as there seems to have been no opportunity for the reporter to read the store of Messrs. Howard & Peden's, on Water street.

The River and Harbor Bill. This bill, which passed the House of Representatives during the middle of last week, we learn ap- sumption of power over this country on the part of propriates \$10,000 for a re-survey of the Cape Fear River below Wilmington, and for the survey of the he felt it to be his duty to protest.

Obligations.

Mr. Cass harbor of New River below Jacksonville, in Onslow county. Also, \$2,500 for the survey of the harbor at Beaufort, with an estimate of the cost and advantages of connecting Neuse River with said harbor. Also, \$5,000 to be expended in deepening the River struggling against an undue subjection to the power below Washington, in Beaufort county. Also, \$100,- of the prelates. 000 for re-opening an outlet from Albemarle Sound to the Ocean.

The Steamer Henrietta, one of our river boats, succeeded, a few days since, in ascending the river above Fayetteville as high up as Averysboro'. This On Friday evening, Feb. 7, Lord John Russell, in Boston was one of those cases which might arise before ascended the Cape Fear.

gold dust with the government funds, and suspended Queen, and the declaration was received with cheers, from service for five years, half the time without continued for a long time, from all parts of the House. pay-the other half he is to receive half-pay. The President of the United States has approved of the unanimously reported, by the committee to whom it decision of the Court.

in consequence of an altercation in the House of Representatives, some time last week, between Messrs. INGE of Alabama, and STANLY of this State, a meeting took place on the 24th instant between those gentlemen, and after the exchange of one shot the parties shook hands and made friends.

BANK OF WADESBOROUGH .-- We learn from the Wadesborough Argus, that in five days after the books were opened, more than \$70,000 were subscribed to the stock of this Bank (more than enough to set the Bank agoing.) in Wadesborough alone.

Later from California.

Within the past two days, the steamers Crescent City, Ohio, Cherokee, and Prometheus, have arrived at New York from Chagres. The Crescent City brings dates from San Francisco to the 15th Jan'y. The Ohio brings \$200,000 in gold dust on freight .-We extract the following summary of events in California, from the New York Journal of Commerce:

San Francisco, Jan. 15. I think matters of business in California are tending to a crisis, and it must come speedily. Merchants who have imported goods largely, cannot sell enough to pay freight; and consignees, many of them at least, are unable or unwilling to raise funds at 10 per cent per month to pay freight, and wait for a change in the markets. The result will be, that cargo after cargo must inevitably be forced into auction, and sold

No man, even here, can estimate the value of goods now been doubled by subsequent arrivals. There is Flour here removed to the provinces. sufficient for the consumption of the country to last this people six months-and in this humid atmosphere in the summer months one-half of it must sour : and many say goods of general assortment are here in quantities sufficient for six months

But San Francisco is bound to be one of the greatest cities of the known world, and that speedily. The pioneers, many of them, must become bankrupt, but another generation will reap the harvest. Society is daily in the advance, so far as the emigration of ladies and familes is concerned; and this

try twenty miles, or even to the opposite side of the bay.

The Panama Railroad, according to the Star, has been near Chagres, to Gatoon. A letter dated Jan. 7, from a gentleman connected with the Road, in answer to some questions propounded, says that the Road will be completed to Gatoon by the lat of July, 1851, to Gorgona by the 1st of January, 1852, and Panama in 1853. Engines would be placed on the Read within four months from the date of the letter. The company have 750 men employed, and expect 250 more by the 1st of March. The course of the Road from Navy Bay to Gatoan is South by eight degrees West. From Gatoon it follows the river to Gorgona, where it crosses and runs from thence to Panama about South by forty degrees East.

From the San Francisco Herald of Jan. 15. During the two past weeks but few incidents of general importance have occurred. The Houses of Government which met at San Jose on the 6th instant, have, as vet, done little beyond completing the preparatory steps of their legislative

On the 8th inst., Gov. Burnett tendered his resignation of the office of Executive Chief, which was necepted by the Houses, and Lieut. Gov. McDougal took the oaths of office in his stead. The candidates for the Senatorship are numerous, but it is impossible to predict who will be the successful one. Col. Fremont will in all probability make a virtue of necessi- Simpson" was effered for sale at the Fayetteville ty, and withdraw to repose on his laurels. The election will Book Store, and by Tuesday evening seven hundred not take place for some days.

late General Assembly of North Carolina incorporating the " Wilmington Gas Light Company," fixes the capital at one handred and fifty thousand dollars, in shares of fifty dollars. When twenty thousand dollars shall have been subscribed, the charter is secured. Five dollars per share is to be paid at the time of subscri-Messrs. P. K Dickinson, John A. Taylor, N. N. Nix- Barnes & Co., New York.—Observer, 25th inst. on, A. J. DeRosset, Jr., Thos. H. Wright, Miles Costin, Edward Kidder, and P. M. Walker, or any three or more of them, at such places, either in the State or receiving subscriptions - Chronicle.

realised \$90,000.

Foreign News.

The U. S. mail steamship Baltic arrived at New York on the 20th instant, bringing news from Liverthe 14th instant by Queen Victoria in person, in a engrossed for a third reading. speech of about quarter of a column of the "Jour-

"I continue to maintain the relations of peace and feet the provisions of the treaty with Denmark, which was concluded at Berlin in the month of July of last of the naval service was referred to committee of the had him in legal custody, therefore it is Washington's Birth-Day, 22d February, was cel- year. I am much gratified in being able to inform whole. The House then took up the military acadebrated in this place by the firing of cannon at sun- you that the German confederation and the governrise and at sun-set, and also by the parade of the ment of Denmark are now engaged in fulfilling the stipulations of that treaty, and thereby putting an

ded by Lieut. William L. Jacobs, and the latter, by ged by mutual agreement, in such a manner as to reserve the strength of the confederation, and to maintain the freedom of its separate states.

"The recent assumption of certain ecclesiastical titles conferred by a foreign power, has excited strong jects have presented addresses to me, expressing attachment to the throne, and praying that such assumptions should be resisted. I have assured them [The message will be found in another column.] Simpson," which took place in Fayetteville, before and the independence of the nation against all enof my resolution to maintain the rights of my crown, his Honor Judge WM. H. BATTLE, on the 14th and croachment, from whatever quarter it may proceed. 15th of November last, for the murder of her hus- I have at the same time expressed my earnest desire band. The reports of the proceedings of the Court and firm determination, under God's blessing, to so justly prized by the people of this country.

> will be laid before you on this subject." An address to the Queen in response was moved. in which strong ground was taken respecting the lic peer, remarking-

"It will be for you to consider the measure, which

He was a Roman Catholic, as his forefathers had been for centuries, but at the same time he was an Englishman, and the rights and liberties of England were as dear to him as to any of their lordships. He proof-sheets. The work is well worth the money admitted the spiritual supremacy of the Queen over asked for a copy, and may be found for sale at the the established Church of England to the fullest extent that the most orthodox member of that Church country in spiritual matters; but as to any other asthe Pope, or any undue exercise of his spiritual pow-

The address was unanimously agreed to. Mr. Anstey, a Roman Catholic member, expressed his conviction that the act of the Pope was one of do his duty. aggression, not only upon the English nation, but upon the Roman Catholic laity, who had long been could and would be executed.

At subsequent sittings of Parliament, notice was given of a bill to abolish the lord lieutenancy of Ireleast sanction to the Pope's late act, and very numerous petitions were presented on the subject of the

prevent the assumption of certain ecclesiastical titles anywhere. in respect of places in the United Kingdom." He said Commodore Jones, whose trial has been pro- that the change in the Papal hierarchy had been knowledge of the English Government. The course journed. found guilty by the court martial of speculating in pursued by the Pope was, he said, an insult to the

The French Republic. was referred, with a recommendation that it be re-We learn from the Washington papers that jected. A national subscription is talked of if the bill is rejected by the Assembly.

The Moniteur publishes a decree, that a census shall be taken of the population of France. ed the Port of the Union in the State of St. Salva-

In the Assembly on Thursday, leave was given to bring in a motion for the calling together the Councils-Ceneral in the case of an insurrection.

Mazzini is reported to be at Geneva, actively entaly. The expedition is to land on the Neapolitan territory. It is calculated that the Neapolitan army will be routed in the first encounter, and that it is to be considered as the signal for a general rising all over Italy. Some other vague stories are connected

with this statement. Denmark and the Duchles. The new federal Government of Holstein was in-

Al! natives of Schleswig, prisoners of war, have been released and sent home, via Fleusburg. The remainder of the prisoners will follow.

Germany. The grand duke of Mecklenburg-Schwein has ister of the Interior, on pain of fine and imprisonment. He says such meetings have had a "destructive effect in his dominions.'

Advices from Vienna of the 29th ult., mention that a widely extended conspiracy had been discovered, which was to effect a general insurrection on the 4th of March. Nearly one hundred persons were of Flour, at cost price in Valparaiso, and that has doubtless posed to be implicated in the plot, were immediately | vision from the constitution.

> Turkey. The Turkish troops have beaten the insurgents of from Omer Pacha, from Bosni, Mehemet Pacha, who was escaping to Austria, was seized and carried to Bosna Serai. The Pack of Travnick was also arrested, at Belgrade, and sent of to Constantinople.

For Markets see Commercial head.

As for climate, there is none equal to or superior to it in instantly said, "oh, you needn't look at them, this citizen of the States was false to the constitution and false to er fugitives have left the city. the known world. Those scorehing winds we have here in aint half enough yet." What is it, we enquired, God, for by refusing to support the constitution, their oath summer, can be entirely avoided by going back into the coundresses for the children ? "Yes. exactly, and here to do so was violated. is not enough for nine." And with a look of pride and triumph, as he left the door, gave us to underfully graded, and is now ready for the rails from Navy Bay, stand that he had a good start, and certain persons the duty of every citizen, whether a State officer or not, to ardson, from Pasquotank, affirming the judgment. Al. peace, sheriff, deputy sheriff, coronor, constable, or bated by all good men need not expect to catch up with him.

There, thought we, is a man of good grit. Instead children to support, he is standing up to the task with a hearty cheerfulness that completely knocks the horns off of all the blue devils that haunt the despairing. Yes, a poor wan with nine children, as happy as a lord, taking the Watchman and paying for it as regular as the richest childless bachelor on the list! Honor him, brethren of the press.

Salisbury Watchman. We guess we know of some who take the "Journul," and who pay for it, too, that can beat the Watch- 11 o'clock. man's man all hollow. Now we have honored him,

was elected to the U. S. Senate, by the Legislature of New-Jersey, on the 21st inst., by a majority of New-Jersey, on the 21st inst., by a majority of was finally laid on the table and the new of the laid on the table and the laws of the laid on the laws of the laws of the laid on the laws of the laws

A POPULAR BOOK .- On Monday and Tuesday of last week, the first edition of "The Trial of Mrs. and fifty copies had been disposed of; and at the end of the week only six copies were on hand-the pub-WILMINGTON GAS LIGHT COMPANY.—The Act of the lishers having been, in the meantime, unable to suply several orders for copies by wholesale. We learn yeas to 18 nays. that in some instances it has been sold at 50 and 100

per cent. above the retail prices. A second edition will be ready for sale in a few days, and a third is now in press. Orders will be received, to be supplied as soon as possible, by the pub- the powers he asked. bing. Books are to be opened under the direction of lishers, E. J. Hale & Son, Fayetteville, or A. S.

VERY TRUE. - To make people smart, all that's necessary is to throw them on their own resources. A surrendering fugitive slaves. elsewhere, as they may determine, for the purpose of wild turkey knows more in a moment than a tame one would dream of in a year, and all because he has to depend for safety on his own ingenuity rather than Jenny Lind's first five concerts in New Orleans the ingenuity of a farmer. Safety and plenty are the worst friends that genius ever associated with.

Thirty-First Congress-Second Session.

THURSDAY, Feb. 20th. pool to the 8th inst. The steamer Pacific arrived at titions, a bill granting land to Missouri to aid in the into committee of the whole and took up the civil sident for information relative to the late negro riot Liverpool on the 3d. She experienced heavy weath- construction of a railroad from St. Louis to the wes- and diplomatic appropriation bill, and made consid- in Boston: er on her voyage. The Atlantic was to be taken to tern limits of the State, was called up by Mr. Atchi- erable progress therein. Liverpool for repairs. Parliament was opened on son, and, after debate, the same was ordered to be

The House amendment to the deficiency bill was following ordinance on the 18th instant:

The postage bill was taken up and discussed, and

In the House, the bill for increasing the efficiency my bill, and laid it aside. The bill relative to Indian affairs was taken up, and several amendments read a third time and ordered to be engrossed and

FRIDAY, Feb. 21st.

SENATE .- A message was received from the Presifeelings in this country, and large bodies of my sub- dent in response to Mr. Clay's resolution asking for information relative to the negro riot in Boston .-

> ate in terms denunciatory of the conduct of those lution: who took part in the affair at Boston, particularly ments the deluded negroes were urged to take these steps. He denounced, in no very measured terms, the proceedings of Mr. Geo. Thomson, of England.

Mr. Hale followed, pronouncing the proclamation futile, idle, weak proceeding.

Mr. Clay replied, and Mr. Hale rejoined with much warmth.

Mr. Mason contended that the law could never be executed without a change in the sentiment of the people of the North. To surrender up fugitive slaves could desire, and he acknowledged the supremacy of was a duty required by the constitution. Massachuthe Pope over the Roman Catholic population of this setts had laws upon her statute books which forbade

> acts of the President, and had no fear but he would next was assigned for the examination of Mr. Hayes, law. defies the authority of the government, and disprinciple, Congress, by the act of February 28, 1795, Mr. Dickinson followed, contending that the law

Mr. Clay continued the debate with Mr. Hale. Mr. Butler contended that the law was worthless, as any law would be. The North had determined and : Lord Minto denied that he had ever given the relentless war upon the institutions of the South, and no legislation could avert the certain doom of the

After further debate, the message was referred to gressing for a few weeks at Washington, has been made not only without the consent but without the laws without a previous proclamation. But yet

> In the House, several private bills were passed. The House then resolved itself into a committee of the whole, and the bill granting appropriations for The President's donation bill had been almost the Post Office Department was taken up and discussed during the remainder of the day.

> > SATURDAY, Feb. 22. Senate.—The chair announced the first business

[We clip the following sketch of the debate which

arose on this subject, from the Baltimore Sun.] Mr. Downs addressed the Senate for more than an hour in

gaged in recruiting for a revolutionary movement in law. He maintained that the Compromise had been acqui- tuous hints and endeavors to hold the officers up to complied with the recommendation of Congress in they shall be paid by and subsisted at the expense of

law as having been successfully carried out every where except in Boston. He did not consider the mob as any evidence

Mr. Borland contended that the compromise had been a complete failure. The South had been deluded with the idea that this fugitive law would be executed, and it was now evident it would not and could not be executed Nor was agisued an ordinance forbidding public meetings and tation quieted. Discussions had already taken place at shal's deputies to the scene of the arrest, and gave United States." These various provisions of the law well that Congress should modify or explain this act this session, and strange to say, had taken place on propositions introduced by the author of the compromise.

executed and would not be executed, and the compromise had utterly failed in its design.

opinion of the compromise. He regarded the decision of the ted States, but their services were not required. Supreme Court in deciding that it was not the duty of the affoat in this harbor. On the first of January last, the Chili arrested, among whom were students, citizens and States to execute the provision of the constitution for the re- litionists, says: Flour Company alone had here in bond about \$300,000 worth officers on half pay. A portion of the legislature of Massachusetts of the 24th of summon as the posse comitatus an organized militia

Mr. Dodge, of Iowa, followed in defence of the comprewhere except in Boston. He did not consider 'he mob in Mostar, at Bozzi. According to a communication Boston as indicative of Massachusetts' sentiment; he prefer-He was very severe upon the white abolitionists.

Mr. Douglass followed. He contended that to say the fugitive law could not be executed was to imply a gross calum-Calico, &c.—A subscriber dropped in on Friday ny on the people of the free States. If, under the constitution, the preservation of the Union, the last to get his paper. He saw us cast a glance at five tion, it was the duty of the States to execute the law, to say store, saw a Southern gentleman approaching, fled other officer of this Commonwealth, shall hereafter just support of the government, and the maintenance or six large rolls of merchandize under his arm, and it would not be executed was to imply that every officer and by the back way and has not been seen since. Oth- arrest or detention, or of the authority of law. I am persuaded that their

But the Supreme Court had said the constitution was imof going about making a poor mouth of having nine He alladed to the mob in Boston, and attributed it to the Also, in State v. Burcham et al., from Carteret, affirm. der the power conferred by the third section of the

> in maintenance of the proposition that the fugitive law had equity, from Greene, overruling the exceptions Also, been (except in Boston,) and would be successfully executed. in Brothers v. Brothers, in equity, from Gates, order- was to make it a penal offence in the officers and ma-Mr. Berrien obtained the floor; the subject was postponed ing the negroes to be sold and directing a reference — gistrates of the Commonwealth to exercise the powtill Monday, and then the Senate adjourned till Monday at Also, in Taylor v. Spivey, from Gates, affirming the ers conferred on them by the act of Congress of the

Monday, Feb. 24. SENATE .- The Indian Appropriation bill was re- Cheraw, affirming the judgment .- Ral. Reg. ported back to the Senate, and the bill passed. The Postage bill from the House was taken up, and Mr.

sident's message. Mr. Berrien was in favor of allowing the President

Mr. Rhett followed in opposition to the constitu-

Mr. Clay replied-and was followed by Messrs. John Davis, Jefferson Davis and Downs.

In the House, the vote by which the fortification bill was laid on the table, on Saturday, was recon-Thursday, Feb. 20th. | bill was laid on the table, on Saturday, was reconstructed under auspendix of the presentation of numerous pendictions, calling on the Presentation of numerous pendicti

The authorities of Boston seem to be coming to their senses. The Board of Aldermen passed the

Whereas this Board has learned with deep regret that the integrity of the laws and the dignity of the if not incompatible with the public interest, any in the marshal, under the direction of the district judge. commonwealth and city, have been greatly impaired formation I may possess in regard to the alleged reby the forcible rescue and abduction of a prisoner cent case of a forcible resistance to the execution of ture of Massachusetts of the 24th of March, 1843. from the hands of an officer of the United States, who the laws of the United States in the city of Boston, and especially that it was not exercised on the pas-

struction of the Mayor, be directed, whenever he shall be properly informed by a public officer of the tional legislation is necessary to meet the exigency It is true that the escape from the deputy mar-State, or the United States, that there is danger that of the case, and to more vigorously execute existing shals in this case was not owing to the want of a end to hostilities which, at one time, appeared full of adopted. The bill was then read a third time and he shall be unlawfully obstructed in the performance laws. laid aside to be reported to the House. Various oth- of his official duties by a mob, and that he needs his "I trust that the affairs of Germany may be arran-er bills, which had been previously agreed to, were assistance—immediately to repair to the place where it is apprehended said riot will be had, and there, faithfully and truly, with the whole police force under his control, use the same, in the most energetic nicated. Private and unofficial communications con tenance of the public peace. THE PRESIDENT'S PROCLAMATION IN BOSTON.-The

Common Council of Boston. on Thursday night, very fully endorsed the action of the other branch of the city government, instructing the City Marshal to employ his whole force, if necessary, in the support of Mr. Clay moved the message be referred to the the United States officers in carrying out the fugicommittee on the judiciary. He addressed the Sentive slave law. They also passed the following reso-

Resolved. That we cordially respond to the recent procla-mation of the President of the United States, and will use maintain unimpaired, the religious liberty which is the white men under whose instigations and induce- our earnest effort to see that its recommendations are carried that. if any such act of violence had been apprehen- by the resolution of the Senate, I have to observe

The Boston Courier says of the proclamation: "It meets the cordial approval not only of great numbers of the citizens of Boston, who believe that without this precaution there would have been noth- by those who were concerned in the execution of the litia of the several States, when called into the actual ing to apprehend from the repetition of an act which papal aggression," Lord Camoys, a Roman Catho- of the President an impolitic, unwise, unnecessary, has inflicted a deep stain upon the character of the of order and respect for the laws—among a people shall have power to provide for calling forth the micity, but as far as we are informed, with very few whose sentiment is liberty and law, and not liberty litia to execute the laws of the Union, suppress inexceptions, of the great mass of those who are desi- without law, nor above the law-such an outrage surrection, and repel invasions." From which it rous that the recurrence of such an event should be could only be the result of sudden violence, unhap- appears that the army and navy are, by the constieffectually guarded against.'

Several arrests have been made in Boston of the parties implicated in rescuing the slave Shadrach, from the custody of the United States Marshal. The Boston Courier of Saturday gives the following particulars of the arrest of two of the accused :

Mr. Joseph K. Hayes, Superintendent of the Tre-Mr. Cass agreed with Mr. Clay. He justified the the escape of the alleged slave Shadrach. Thursday people of Massachusetts, as much as it violates the gives the command to the President. Acting on this

A deputy marshal and twelve assistants proceeded young colored man named Alexander P. Burton, a and considerations connected with the subject. Saturday last. The deputy marshal, before entering | declared : upon the execution of his warrant, informed Mayor Silsbee of the nature of his business, and he forthwith summoned a police force, and accompanied by Sheriff Sprague, proceeded in person to the scene of arrest, which was near the railroad depot. Burton of under the like penalties as in the case of prisoners com-Mr Davis, of Mass., contended that the affair at offered no opposition; but several citizens of Salem united under the authority of such States respectively; the United States to pay for the use and keeping of such jails, at least whether to repel invasion or such that resorted to various means to trouble the officers. The the rate of fifty cents per month for each prisoner that shall, prisoner was conveyed before Mr. Hallett at one o'- under their authority, be committed thereto, during the time clock, but it having been intimated that the prison-er could establish beyond a doubt that he was not in

learned the following facts :- From the moment the tice-Government officers left the court-house, in the city, they were pursued by a knot of abolitionists, who. in the cars, insulted them in the grossest manner. The are kidnappers here, and they are going to Salem." form and said: "I belong to Lynn. but I am going ted States. lefence of the Compromise measures of the last session, and vo Salem to render assistance," and he accordingly

to-day and distributed them among his men. The March. 1843. fact, when known in town, tended to excite, rather That act declares that "no judge of any court of out the consent of such officers. This point may demise. He regarded the law as having been executed every- than quiet the public feeling. Pistols and bowie- record of this Commonwealth, and no justice of the serve the consideration of Congress. knives have suddenly become scarce in this market. peace, shall hereafter take cognizance, or grant cer- I use this occasion to repeat the assurance that.

Authentic information has just been received from | tion of the act of Congress passed February 12, 1793, executed, and all forcible opposition to them sup-

Another dispatch says: gitives being issued. A fugitive who was engaged Commonwealth." And it further declares that "no of this country are warmly and strongly attached to

Supreme Court. The following decisions have been delivered: By PEARSON, J. In Caffey v. Rankin, from Guilperative that the slaves should be delivered, and as it was ford, dismissing the appeal. Also, in Griffin v. Richobey and execute the imperative requirements of the consti- so, in State v. Burrows, from Martin, declaring there jailor, who shall offend against the provisions of this tution, and a refusal to do so was to be false to the country. is no error in the proceedings of the Superior Court. law, by in any way acting directly or indirectly unvillainous combinations of white men who have urged the neling the judgment. Also, in Tofrin v. Kornegay, from act of Congress aforementioned. shall forfeit a sum groes to do openly what they had not the courage themselves Lenoir, dismissing the appeal. Also, in Skinner v. not exceeding one thousand dollars for every such to do. He declared the mob was but a part of a long pre- Wood and others, in equity, from Perquimons, direc- offence. for the use of the county where said offence Mr. Cass followed in defence of the compromise acts, and the rents and profits Also in Turnage v. Turnage, in not exceeding one year in the county jail.

of New-Jersey, on the 21st inst., by a majority of two votes.

The Expenses of Government.—The supply bills the description of the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment. Also, in Powell v. Felton, from Gates, the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment. Also, in Powell v. Felton, from Gates, the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment. Also, in Powell v. Felton, from Gates, the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment. Also, in Powell v. Felton, from Gates, the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo.

It is deeply to be lamented that the purpose of the State could present the judgment reversed and venire de novo. J F. Also, in den ex dem, Badham v. Cox, from

The President's Message. We publish below Mr. FILLMORE's message in re-

> The Biessage. EXECUTIVE DEPARTMENT, February 19, 1851.

To the Senate of the United States: occurrence; and whether, in my opinion, any addi- particularly drawn to it.

sachusetts, setting forth the circumstances of the of the hearing for some days, without such place of case-a copy of which affidavit is herewith commu- confinement. If it shall appear that no such place manner possible, in support of the laws and the main- cur in establishing the main facts of this account; given to lose no time in the discharge of his duty. accuracy of the account has been denied by persons these unexpected and deplorable occurrences in Boswhom it implicates. Nothing could be more unex- ton, together with copies of instructions from the Depected than that such a gross violation of law, such partments of War and Navy, relative to the general a high-handed contempt of the authority of the Uni-ted States, should be perpetrated by a band of law-graphic despatches transmitted from the Department less confederates, at noonday, in the city of Boston, and in the very temple of justice. I regard this flagitious proceeding as being a surprise, not unattentier their answers thereto. ded by some degree of negligence; nor do I doubt In regard to the last branch of the inquiry made sisted. It would be melancholy, indeed, if we were and probably no legislation of Congress could add to merican Liberty.'

mont Temple, was arrested yesterday and taken be- without question, the general sentiment of the peo- when the militia are called into service in the manfore Commissioner Hallett, on a charge of aiding in ple of Boston. and of a vast majority of the whole ner prescribed by law, then the constitution itself and he gave bonds in the sum of \$3000 for his ap- graces those concerned in it, their aiders and abet- authorized the President to call forth the militia to

to Salem yesterday morning, with a warrant for a ate. in answer to its resolution, some import facts against the laws of the United States, and cause the barber, said to have been concerned in the affair of A resolution of Congress, of September 23, 1789, ceeds to declare that whenever it may be necessary.

"That it be recommended to the legislatures of the several States to pass laws making it expressly the duty of the keepers of their jails to receive and safe keep therein all pris-

hours were allowed him -the commissioner liberated March, 1791, provides that "Whereas Congress did, the proclamation seems to be in words directed only him on bail until 4 o'clock, P. M. At the opening by a resolution of the 23d day of September, 1789, against insurgents, and to require them to disperse; of the court at that hour, the United States District recommend to the several States to pass laws making thereby implying not only an insurrection, but an Attorney said he was satisfied that Burton did not it expressly the duty of the keepers of their jails to organized, or at least an imbodied, force. Such a participate in the rescue, and he was accordingly receive and safe keep therein all prisoners commit- proclamation in aid of the civil authority would of-In connection with the arrest of Burton, we have der, therefore, to insure the administration of jus- persons intended to be arrested that they would be

commendation, the marshal in such State, under the direcin order to be the motion of Mr. Clay to refer the instant the train left East Boston, one of these mis-It further announces that a British force has blocked the Port of the Union in the State of St. Salva
Boston, to the Judiciary Committee.

In order to be the inotion of Br. Clay to relate the instant the train left East Boston, one of diese initial instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston, one of diese instant the train left East Boston the diese instant the train left East Bost At the several way stations similar proclamations shall be allowed his reasonable expenses, incurred for were made, and at Lind a person got upon the plat- the above purposes, to be paid out of the treasury of the Uni- President may make such call and place such mili-

particularly of the efficiency and propriety of the fugitive returned to the train. In addition to these contemp- provides that "where any State or States, having ing such combinations; and, while so employed, esced in by the people, and that it would be adhered to, and ridicule, the fanatics insulted personally one of the the resolution of the twenty-third day of September, the United States. every portion of it strictly executed and carried out in good deputy marshals several times, and pointed him out 1789, shall have withdrawn or shall hereafter withas a "slave hunter." The demeanor of the officers draw, either in whole or in part, the use of their jails between the militia and the regular army, by the Mr. Clemens defended the President, who had done his of the law was marked by the utmost forbearance for prisoners committed under the authority of the act of March 3, 1807, authorized the President to duty as a man and as a patriot. He regarded the figitive and moderation on this occasion. They were assail- United States, the marshal in such States, use the land and naval forces of the United States ed with every opprobious epithet which the heated under the direction of the judge of the district, shall for the same purposes for which he might call forth brains of the fierce bedlamites could invent yet the be, and hereby is, authorized and required to hire a the militia, and subject to the same proclamation. only notice they took of their attempts at intimida- convenient place to serve as a temporary jail, and to But the power of the President, under the constitution was to go straight-forward in the execution of make the necessary provision for the safekeeping of tion, as commander of the army and navy, is gene-The promptness of the Salem authorities, as well ted States, until permanent provision shall be made is general and positive; and the act of 1807 ought as the citizen soldiers of that place on this occasion, by law for that purpose; and the said marshal shall not to be construed as evincing any disposition in is worthy of the bighest praise. The Mayor in per- be allowed his reasonable expenses incurred for the Congress to limit or restrain this constitutional anson, as already stated, accompanied the U. S. Mar- above purposes, to be paid out of the treasury of the thority. For greater certainty, however, it may be

the laws. The captain of the Salem Artillery also By the law of Massachusetts, as that law stood be- army and navy of the United States, as well as that Mr. Turney also took the ground that this law was not tendered his services, and we learn that his compa- fore the act of the legislature of that State of the in regard to calling forth the militia. It is supposed ny, as well as the Independent Guards, met at their fourth of March, 1843. the common jails in the re- not to be doubtful that all citizens, whether enrolled quarters, and were in readiness to respond with en- spective counties were to be used for the detention in the militia or not, may be summoned as members Mr. Chase coincided with the two last Senators in their ergy to the proclamation of the Uni- of any persons detained or committed by the author- of the posse comitatus, either by the marshal or a ity of the courts of the United States, as well as by commissioner, according to law, and that it is their The Boston Commonwealth, the organ of the abo- the courts and magistrates of the State. But these duty to obey such summons. But perhaps it may be

red supposing the demonstration at Springfield against the misereant Thompson as a better expression of their feelings.

Authentic information has just been received from under the fugitive, arrived safe and entitled. An act respecting fugitives from justice, and persons escaping from the service of their whenever it may become necessary, the power contice, and persons escaping from the service of their whenever it may become necessary, the power contice, and persons escaping from the service of their whenever it may become necessary, the power contice. There are rumors of a number of warrants for fu- as a fugitive slave within the jurisdiction of the fully persuaded that the great majority of the people

is claimed as a fugitive slave." And it further declares that "any justice of the occurrences disturbing the public peace and repro-

This law, it is obvious, had two objects: the first indgment. Also, in Nixon v. Jones, from Perquimons, 12th of February. 1793. entitled "An act respecting fugitives from justice, and persons escaping from the and it is said that when the crash came he run for the House of Representatives.—In the House, the By Rufin, C. J. In Doe ex dem, Bullard v. Barks. service of their masters," and which powers they Post Office bill was taken up and amended, and the dale, from Sampson, judgment reversed and venire de were fully competent to perform up to the time of lady, observing it, remarked, pointing at the honora-New-Jersey.—Commodore Stockton, democrat, bill passed as amended. The Fortification bill was amended. The Fortification bill was amended. The Fortification bill was a great consoler of the afflicted and

> eclaring that there is no error in the judgment against vent, as far as the legislature of the State could pre- of nearly forty-seven millions of dollars, as follows: vent, as far as the legislature of the purpose of The Deficiency bill, amounting to about \$2,500,carrying into effect that article of the constitution of | 000; Civil and Diplomatic, \$6.500.000; Army and the United States which declares that "no person Ordnance and Fortifications, \$12,500,000; West Point DECISION IN REGARD TO LAND WARRANTS FOR SUB- held to service or labor in one State, under the laws Academy, \$200.000; Navy, \$10,000,000; Indian ex-STITUTES —The Washington Republic understands it thereof, escaping into another, shall, in consequence penses, \$2,000.000; Post Office, \$5.500,000; Mexihas been decided by the Pension Office that, were a of any law or regulation therein be discharged from can Indemnity. \$3,600,000; River and Harbor Apsuch service or labor, but shall be delivered up on propriations, \$2.000.000; Light House, \$400,000; ved four months, and then hired a substitute who ser- claim of the party to whom such service or labor may | Coast Survey, \$180.000; Pensions, \$1,500,000; total, The Senate then took up the reference of the Pre- ved the residue of the term, both are entitled to boun- be due," from being carried into effect. But these \$46,880,000. Besides these there will be an odd ty land under the provisions of the act of September acts of State legislation, although they may cause million or two for the boundary commission, special 28, 1850, according to the actual amount of service embarrassment and create expense, cannot derrogate Indian negotiations, and the usual annual indefinite either from the duty or the authority of Congress to and permanent appropriations, not estimated for, of VALUE OF AN ORCHARD. Every farmer or mechan- carry out fully and fairly the plain and imperative \$5,500,000. These sums together will make the toic who owns an acre of land, should supply it with constitutional provision for the delivery of persons tal appropriations of the present session amount to tionality of any fugitive slave law by Congress. It fruit trees. The fruit would be more than any other bound to labor in one State, and escaping into anwas the duty of the States to execute that duty by product that he would obtain from it, beside the ad- other, to the party to whom such labor may be due. surrendering fugitive slaves. The message was then referred, and the Senate labor, the land and the trees being now worth \$200. purpose of the detention of persons committed under healthful condition during his term of office. Cultivator. | the authority of the United States, is not only em-

powered, but expressly required, under the direction of the judge of the district, to hire a convenient place papers accompanying this communication, that the attention of the marshal of Massachusetts was distinctly called to this provision of the law by a letter from the Secretary of the Navy, of the date of October 28th last. There is no official information that the marshal has provided any such place for the I have received the resolution of the Senate of the confinement of his prisoners. If he has not, it is to 18th instant, requesting me to lay before that body, be regretted that this power was not exercised by and to communicate to the Senate, under the above sage of the fugitive-slave law of the last session, or Ordered, That the City Marshal, under the in- conditions, what means I have adopted to meet the when the attention of the marshal was afterwards

> prison or place of confinement; but still it is not ea-The public newspapers contain an affidavit of Pat- sy to see how the prisoner could have been safely rick Riley, a deputy marshal for the district of Mas- and conveniently detained, during an adjournment has been obtained, directions to the marshal will be but no satisfactory official information has as yet I transmit to the Senate the copy of a proclamabeen received, and in some important respects the tion issued by me on the 18th instant in relation to

ded, thousands of the good citizens of Boston would that the constitution declares that "the President have presented themselves, voluntarily and prompt- shall take care that the laws be faithfully executed." ly, to prevent it; but the danger does not seem to and that "he shall be commander-in-chief of the have been timely made known or duly appreciated army and navy of the United States, and of the miprocess. In a community distinguished for its love service of the United States," and that "Congress pily too much unprepared for to be successfully re- tution, placed under the control of the Executive: obliged to regard this outbreak against the constitu- or diminish the power thus given, but by increasing tional and legal authority of the government as pro-ceeding from the general feeling of the people, in a and navy. But not so with the militia. The Presispot which is proverbially called "the Cradle of A- dent cannot call the militia into service, even to execute the laws or repel invasions, but by the authori-Such, undoubtedly, is not the fact. It violates, ty of acts of Congress passed for that purpose. But repel invasion, and "suppress insurrections against It is, nevertheless, my duty to lay before the Sen- a State government, and to suppress combinations laws to be faithfully executed." But the act proin the judgment of the President, to use the military force thereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes within a limited time. These words are broad enough to require a proclamation act, whether to repel invasion, or suppress an insurrection, or to aid in executing the laws. This sected under the authority of the United States: in or- ten defeat the whole object, by giving such notice to enabled to fly or secrete themselves. The force may "Resolved by the Senate and House of Representatives of be wanted sometimes to make the arrest, and also the United States of America in Congress assembled, That, sometimes to protect the officer after it is made, and in ease any State shall not have complied with the said re- to prevent a rescue. I would, therefore, suggest that this section be modified by declaring that nothing therein contained shall be construed to require any previous proclamation when the militia are called forth, either to repel invasion, to execute the laws, or suppress combinations against them; and that the tia under the control of any civil officer of the United And a resolution of Congress of March 3, 1821. States to aid him in executing the laws or suppress-

prisoners committed under the authority of the Uni- ral; and his duty to see the laws faithfully executed in regard to its provisions for the employment of the provisions were abrogated and repealed by the act doubted whether the marshal or a commissioner can force, acting under its own appropriate officers, with-

tificate, in cases that may arise under the third sec- so far as depends on me, the laws shall be faithfully masters, to any person who claims any other person stitutionally vested in me to the fullest extent. I am imprisonment in any jail or other building belonging earnest wishes and the line of my constitutional duto this Commonwealth, or to any county, city, or ty concur; and I doubt not firmness, moderation, and town thereof, of any person, for the reason that he prudence, strengthened and animated by the general opinion of the people, will prevent the repetition of

MILLARD FILLMORE

IN AND AFTER THE HONEY-MOON.-When Hop. Fruman Smith, senator from Connecticut, returned to Washington with his youthful, accomplished and handsome Alabama wife, somebody asked him how ting the property to be sold and an account taken of is committed, or shall be subject to imprisonment many slaves she had. "Only one," said Truman, bowing low, and placing his hand upon his heart; "only one, who is proud to be her slave" That was very good. A correspondent of the New York Herald gives a supplemental anecdote a month later. On the night that the platform gave way at the Washington circus, Mr. Smith was present with his young wife,

somewhat over fifty millions of dollars.

Dr. J. C. Ayer, proprietor of " Ayer's Cherry Pecdividual of our acquaintance cleared off the rocks and of March 3, 1821, the marshal of the United States, toral," has just been elected Mayor of Lowell, Mass. bushes from an acre of worthless land, and set out in any State in which the use of the jails of the State If he makes as good a Mayor as he does a medicine. thirty-six apple trees. The fruit has paid for all the has been withdrawn in whole or in part from the the municipal affairs of Lowell will be kept in a very